

**MINUTES OF THE MEETING
OF THE
ASSEMBLY COMMITTEE ON LEGISLATIVE OPERATIONS AND ELECTIONS**

**Seventy-Seventh Session
March 5, 2013**

The Committee on Legislative Operations and Elections was called to order by Chair James Ohrenschall at 4:24 p.m. on Tuesday, March 5, 2013, in Room 3142 of the Legislative Building, 401 South Carson Street, Carson City, Nevada. Copies of the minutes, including the Agenda ([Exhibit A](#)), the Attendance Roster ([Exhibit B](#)), and other substantive exhibits, are available and on file in the Research Library of the Legislative Counsel Bureau and on the Nevada Legislature's website at nelis.leg.state.nv.us/77th2013. In addition, copies of the audio record may be purchased through the Legislative Counsel Bureau's Publications Office (email: publications@lcb.state.nv.us; telephone: 775-684-6835).

COMMITTEE MEMBERS PRESENT:

Assemblyman James Ohrenschall, Chair
Assemblywoman Lucy Flores, Vice Chair
Assemblyman Elliot T. Anderson
Assemblyman Wesley Duncan
Assemblywoman Marilyn K. Kirkpatrick
Assemblyman Andrew Martin
Assemblyman Harvey J. Munford
Assemblyman James Oscarson

COMMITTEE MEMBERS ABSENT:

Assemblyman Pat Hickey, (excused)

GUEST LEGISLATORS PRESENT:

Assemblyman Richard (Skip) Daly, Washoe County Assembly District
No. 31



STAFF MEMBERS PRESENT:

Susan Scholley, Committee Policy Analyst
Kevin Powers, Committee Counsel
Karen Pugh, Committee Secretary
Macy Young, Committee Assistant

OTHERS PRESENT:

Paul McKenzie, representing Building and Construction Trades Council of Northern Nevada
Priscilla Maloney, Labor Representative, American Federation of State, County and Municipal Employees
Danny Thompson, representing Nevada State AFL-CIO
Jack Mallory, representing Southern Nevada Building and Construction Trades Council
Wes Henderson, Executive Director, Nevada League of Cities and Municipalities
Constance Brooks, Director, Government Relations, Nevada System of Higher Education
Megan Salcido, Government Affairs Coordinator, Office of City Manager, City of Reno
Lisa Gianoli, representing Washoe County
Javier Trujillo, Intergovernmental Relations Manager, City of Henderson
Yolanda King, Director, Budget and Financial Planning, Clark County
Tom Leahy, representing Nevada Legislative Action Committee

Chair Ohrenschall:

[Roll was taken.] On the agenda today, Assemblyman Daly will be presenting Assembly Bill 150 to the Committee.

Assembly Bill 150: Provides for the legislative review of governmental agencies to promote governmental oversight and accountability. (BDR 17-739)

Assemblyman Richard (Skip) Daly, Washoe County Assembly District No. 31:

This bill creates a standing interim committee to undertake some of the work that the Legislative Commission is authorized to do but often does not have the time to accomplish. It follows the format of the Legislative Committee on Education. I believe when you look at the structure of government you see, if you will, four corners: first, the Legislature, being the body that determines the policy and enacts it through statute; second, an agency or mechanism to carry out the policy; third, appropriation of funds so that the agency can carry out the policies that the Legislature enacted; and fourth, the oversight

to make sure that the policies are carried out by the agency with the appropriations in the fashion that the Legislature intended. Since the Nevada Legislature follows a biennial schedule, the interim committees are a well-established mechanism to provide the oversight necessary to make sure that the policies established are carried out. There have been very few instances in the last ten years where a committee with oversight has been established by the Legislative Commission to do this type of work.

Currently, you will find a fiscal note attached to this bill. However, I have been told by the Legal Division that section 9, which is responsible for that fiscal impact, is not needed and most likely will be removed since we will be able to maintain the document confidentiality through other language in the bill.

I know there are quite a few people in opposition to this bill. People are always afraid of the unknown and this is a new procedure, one that subjects them to an oversight they do not currently have. It is my hope that the headlines will not read that the cities, counties, and other government entities in Nevada are opposed to oversight and accountability. The purpose of this bill is not to punish individuals or agencies, but to provide counseling so we can improve the measures that may come before a committee such as this.

Assemblywoman Flores:

Mr. Daly, you stated that you were considering removing section 9 of the bill because there was some fiscal impact associated with that section. You also stated that you had been given an opinion that section 9 is not entirely necessary and that it is possible to achieve the purpose of that section without it. Can you explain how we can still achieve the completion of the duties that are set forth in section 9 if it is removed from the bill?

Assemblyman Daly:

What the Legal Division has said is that section 9 is not needed because we have the Legislative Counsel Bureau (LCB) and its staff that can accomplish the duties as described in section 9. The committee would also have access to Fiscal Division staff who can take any sensitive information and compile it for the committee, which would be the work product to be kept confidential.

Assemblywoman Flores:

Can you also clarify what type of entity this bill would create? Is it a board or a committee?

Assemblyman Daly:

The Legislative Committee on Governmental Oversight and Accountability would be a standing interim committee, pursuant to Title 17 of the *Nevada Revised Statutes* (NRS). If you look at section 7, on page 3, it explains the purpose and scope is to "fulfill the objectives and duties granted to the Legislative Commission pursuant to NRS 232B.010 to 232B.100, inclusive, and paragraph (b) of subsection 1 and paragraph (c) of subsection 2 of NRS 218E.175, evaluate, review and comment upon issues related to governmental agencies."

Assemblyman Elliot Anderson:

Mr. Daly, I see on page 4, line 5, the chair of the committee can issue subpoenas. Do we not now require a vote of the committee to issue subpoenas? Do our rules, as they stand now, apply to the committee in general, or would they adopt their own if they are going to be doing these sorts of investigations?

Assemblyman Daly:

This section is taken verbatim from the existing statute, which created the Legislative Committee on Education as it stands now. As for the rules, it is my understanding that the committee would be under the direction of, and subject to, the rules handed down by the Legislative Commission.

Assemblyman Elliot Anderson:

Just to clarify, Mr. Daly, you are referring to the interim Legislative Committee and not the standing Assembly Committee on Education.

Assemblyman Daly:

The interim Education Committee.

Assemblywoman Kirkpatrick:

I support Mr. Daly's concept. Over the years the work of the Legislature has grown and become a full-time job. During the interim I sit on several committees, including the Legislative Commission, the Legislative Commission's subcommittee to Review Regulations, and the Interim Finance Committee (IFC). In those 18 months between legislative sessions, regulations come, people forget what the intent of the law was, and impact statements are not completed. We as legislators are not to be going to hearings on regulations to explain to the agencies what the legislative intent was behind the regulation. Therefore, we often find that those constituents we have worked so hard to help do not see anything being accomplished. Without some type of hammer, there is no way to go back and enforce those regulations to ensure that action is taken when it should be taken.

Additionally, engagement in the legislative process for all members of the Legislature is required during the entire period of their tenure. I believe the Legislative Commission has 12 members and the Interim Finance Committee has 24 members. That leaves almost 30 members of the Legislature that do not participate in the decision-making process over the interim. A committee, such as this, would not only involve more persons in the process, but would keep things moving by addressing the issues and ensure that the work is done.

Assemblyman Daly:

You are right. This bill will provide more opportunities for people to participate in the legislative process. I have heard people express concerns that the committee will be heavily weighted in favor of one party. As it stands now, the membership would be six Democrats and four Republicans, and should the balance in the House change, it would be five members from each party or six from whichever party holds the majority and four from the minority party.

If you will recall, last session we passed Assembly Bill No. 578 of the 76th Session, which was intended to repeal several of the existing interim committees and establish "Joint Interim Standing Committees that parallel standing committees established by the Legislature during its biennial regular sessions." That bill was vetoed by the Governor, who felt that the Legislative Commission could handle the work that would have been allocated to those committees. There is a need to have one committee, with some oversight authority, that can assist the Legislative Commission in their actual duties and initiate a process that will engage more people from both Houses in decision making. It is the fourth corner. We set the policies, we establish the boards, we appropriate the money to carry out the policies, and we need to have the oversight to make sure the policies are carried out. Lastly, this committee will make recommendations for legislation to solve problems, which is really what I see the main factor of the committee taking on.

Chair Ohrenschall:

Assemblyman Daly, assuming this becomes a statutory committee on oversight, what would the committee do if an executive agency came before it with stark examples of wasted money or mismanagement?

Assemblyman Daly:

If there were truly gross mismanagement, and money missing, we would turn it over to the Office of the Attorney General.

Chair Ohrenschall:

Maybe money is not missing but is being spent in an unwise manner.

Assemblyman Daly:

To a degree, questions would be asked. I seriously doubt we would call in county commissioners and say you are not doing this right, because they operate under their own ordinances. Regarding state agencies, someone might say this is the Legislative Branch overseeing an Executive Branch agency, but it happens all the time. An executive agency is a creature of the Legislature; there is a statute that enables the agency, there is a definition of the board, and there are appropriations made to carry out the policy, all established by the Legislature. This committee would try to identify the problems by getting the parties together—not at all dissimilar to what we do now—and then, if necessary, come forward with legislation to address the issue.

Chair Ohrenschall:

Could this committee look at efficiencies from consolidation at the local government level?

Assemblyman Daly:

The way the bill is written, theoretically you could bring in any political subdivision within the state and delve in to all types of issues to create efficiencies and accountabilities and to make sure they are operating in accordance with the legislative policies that have been set up.

Chair Ohrenschall:

Are there any other questions for Assemblyman Daly on Assembly Bill 150? [There were none.] I will take testimony from other witnesses in support of Assembly Bill 150.

Paul McKenzie, representing Building and Construction Trades Council of Northern Nevada:

Every session this Legislature meets, resolved to pass laws that will improve the operation of state and local governments. In the interim, everything is left to the various agencies that have little or no oversight to carry out your bidding. I believe Assemblyman Daly brings this legislation forward to try to make sure that the intent of the Legislature is carried through on each bill passed. Assembly Bill 150 will streamline the process of ensuring that the laws are followed, and may possibly prevent litigation.

Currently, if a law is not being followed between the sessions, the only path to bringing things into line with what the Legislature intended is through litigation. We believe that oversight of these boards and local governments, to ensure that they follow your intent, is important to a smooth and economical operation of the government in this state.

Chair Ohrenschall:

Mr. McKenzie, you have experience working on government contracts. Do you find that having more checks and balances makes things run smoother or slows things down?

Paul McKenzie:

If the public agency accepts those checks and balances willingly, it makes things run more smoothly. If they feel restrictions are being placed on them, they will fight that restriction, which keeps the process from operating smoothly.

Chair Ohrenschall:

Are there any other questions for Mr. McKenzie? [There were none.]

Priscilla Maloney, Labor Representative, American Federation of State, County and Municipal Employees:

After hearing Assemblywoman Kirkpatrick's comments about this bill, I would like to share a personal anecdote that I believe will explain some of the concerns we have had about issues that occurred before this session started.

I began work with the American Federation of State, County and Municipal Employees (AFSCME) in March 2011. I was tasked with tracking issues that went through the regulatory process established in NRS Chapter 233B. I became aware in the summer of 2011 that the Department of Corrections (DOC) was having problems with the budget that had been presented and approved by the Legislature in February 2011. The budget presentation by the DOC had asked for savings in their budget due to a change in regulations regarding the shift differential. As background for the Committee, if employees work a swing or graveyard shift, they generally receive extra pay. This additional pay is based on years of labor studies that show persons who work those shifts have additional health problems. Most states compensate these workers with extra pay, that is, a shift differential. We had a series of meetings with the DOC but were told informally that they could not afford to do this one policy that they knew was near and dear to sworn officer's hearts, which was the 12-hour shift, unless they went back and built those savings in by amending the shift differential statute that is in *Nevada Administrative Code* (NAC) 284.210.

Chair Ohrenschall:

I appreciate the anecdote but please stay with the bill.

Priscilla Maloney:

The point is that we had to resolve this through the Legislative Commission with the tools that we had available to us. It was not an easy compromise, and it made many people who work those shifts unhappy. If the Legislature had been able to have this committee in the interim, it would have had the ability to dig deeper into the DOC's reasons for needing this change, and we might have had a different outcome. We see this bill as providing not only transparency but also a way to add tools that do not currently exist between the Legislative Commission's powers and the IFC's powers.

Chair Ohrenschall:

If the committee had been in existence when the situation arose, do you think it would have saved the taxpayers money?

Priscilla Maloney:

Again, I am here to advocate primarily for the well-being of our state workforce. If, for instance, the DOC had some internal issues that this proposed committee could address in their staffing and use of overtime, arguably, yes, that could have saved the taxpayers money.

Chair Ohrenschall:

Are there any questions for Ms. Maloney? [There were none.]

Danny Thompson, representing Nevada State AFL-CIO:

We see this as a transparency and accountability issue. For the Legislature to have influence over these issues as they develop only makes sense. The reality is that many of these issues end up in court when they could have been aired in public and had different outcomes. We wholeheartedly support the measure.

Chair Ohrenschall:

Are there any questions for Mr. Thompson? [There were none.]

Jack Mallory, representing Southern Nevada Building Trades:

We support this bill for the same reasons the others have stated and for the reasons included in the comments made by Assemblywoman Kirkpatrick. I have an anecdote to share as well. In 2009, the Legislature passed a bill creating an interim subcommittee for studying employment classification. In 2010, during the subcommittee hearings, former Senator Breeden and former Senator Hardy requested that the Labor Commissioner participate in the proceedings. He reluctantly did so but was less than forthcoming with information that was necessary for that subcommittee to complete its goals. Ultimately, Chairwoman Breeden received a letter from the

Office of the Governor stating that if the subcommittee wanted to talk to "my people in my departments, you need to ask me first." I believe that a committee such as this could alleviate problems like that and allow subcommittees that are created out of well-intentioned legislation to actually perform their duties and bring back some ideas for potential legislation.

Chair Ohrenschall:

I believe many people have the best relationships with their Assembly member and State Senator. People are not afraid to pick up the phone on a Tuesday evening, call their Assembly member or State Senator, and see what is going on. Thank you. Are there any questions for Mr. Mallory? [There were none.] Is there anyone else in support of Assembly Bill 150 who would like to speak? [There was no response.] Is there anyone who is neutral on Assembly Bill 150? [There was no response.]

I will now take testimony from anyone in opposition to Assembly Bill 150. I would like it noted in the record that I received an email from Keith Lee; he filed a statement of opposition ([Exhibit C](#)) to Assembly Bill 150, on behalf of the State Contractors' Board, that has been uploaded to our Nevada Electronic Legislative Information System (NELIS).

Wes Henderson, Executive Director, Nevada League of Cities and Municipalities:

The Nevada League of Cities and Municipalities and our members believe in open, transparent, and accountable government, and we recognize the duty of the Legislature to provide such oversight for local governments. However, we do have concerns with the bill as written and feel it is overly broad. Our concerns include the inclusion of local governments, the uncertainties of what type of interaction would be expected from those local governments, and the fact that there will be costs associated with complying with the provisions of the bill. We also anticipate that unsolicited fiscal notes will be submitted from our members and others.

Additionally, we believe that the Legislature currently has the authority to evaluate, review, investigate, and comment on the operations of government institutes. We also believe there are existing committees available to accomplish the goals of this legislation, such as the Committee on Local Government Finance. And finally, we are concerned that local governing boards may be rendered less efficient if the committee created by this legislation acts as an appeals board for constituents who are disgruntled by a particular decision or action taken by the governing body.

Chair Ohrenschall:

Are there any questions for Mr. Henderson? [There were none.]

Assemblywoman Kirkpatrick:

It is interesting that you talked about the Local Government Finance Board, as that is the hardest board to find where it is holding its workshops. They also do not videoconference any of their meetings, which is very problematic for some people. You must be there in person or you do not get to participate, and they will not take information at a later meeting. The Legislative Commission had to send them a letter requesting they submit copies of their new regulations as no one could find where their workshops were in order to get a copy.

My question is, how is this any different from Senate Bill 202, which would create the Nevada Advisory Committee on Intergovernmental Relations (ACIR) so local governments can talk together?

Wes Henderson:

One major difference with some of the other interim studies the local governments support—including the ACIR, which is actually a re-creation of a committee from 2009—is the local government participation on the board. This committee, under A.B. 150, would consist of only legislators.

Assemblywoman Kirkpatrick:

The Legislature wants to do something to encourage dialogue, and we want to bring you to our table because I believe it behooves the whole state to try to have more conversations to resolve many issues. If there are adjustments that can be made to this bill so that we can work better collectively, then that is the direction we need to go.

Wes Henderson:

I do believe that the ACIR bill includes those things, and one of our goals is to have a committee where there are legislators, the Executive Branch, and local government representatives to do exactly what you said—finding ways to work better together and come up with the best solutions for the state.

Assemblywoman Kirkpatrick:

Are we allowed to take action under S.B. 202? I think that is the real difference between these bills, because with A.B. 150 we can take action.

Wes Henderson:

I believe that the way the ACIR would be structured would allow it to take action through the submittal of bill draft requests. Obviously, they would not have the authority to take the kind of action that the interim Legislative Commission can take.

Chair Ohrenschall:

Mr. Henderson, if local governments are creatures of state government, what is the issue with having some oversight from the Legislative Branch of state government?

Wes Henderson:

Mr. Chairman, I believe we do have oversight from the Legislative Branch of the government. Our operations are controlled by statute, so before local government can take an action there has to be statutory authority for them to do so.

Chair Ohrenschall:

Understood, but in the state where the Legislature only meets 120 days every two years, with having a little more active role during the interim. I am not sure what the issue is. Are there any other questions for Mr. Henderson? [There were none.]

Constance Brooks, Director, Government Relations, Nevada System of Higher Education:

For the record, we are not opposed to oversight or accountability within our operations; however, we did meet with the sponsor of A.B. 150 and request an exemption for the Nevada System of Higher Education (NSHE) due to the fact that we have a 13-member elected body, in the Board of Regents, that does provide oversight and accountability measures for each of our campuses. Since that was not well received, we are here to express our opposition to the bill but are open to any conversations that would be ongoing so that we can make certain that we are more aligned with the state.

Chair Ohrenschall:

Are there any questions for Ms. Brooks about NSHE?

Assemblywoman Flores:

What is it that you oppose?

Constance Brooks:

I believe that there is an assumption that, in addition to the oversight, there would probably be an administrative burden in terms of the reporting requirements. We already report to the IFC and have constant conversations with the State Legislature in the interim. I believe this was viewed as another layer that may be unnecessary.

Assemblywoman Flores:

Therefore, specifically there is nothing that you can point to in the bill that you are opposed to. It is more a fundamental opposition to the bill, in terms of possibly having to do more reporting in the interim than you already do.

Constance Brooks:

Yes, that is correct. We are a unique state agency that has an elected board, and we utilize their authority as much as possible within the layers of government.

Assemblywoman Flores:

Can you explain to me why that is different from the elected positions of the local municipalities or the county commissions or any other agency to which individuals are elected?

Constance Brooks:

I am not certain that it is any different, at least in the context of a state agency that has an elected board. I believe that the requirements within the bill would be the same for us, and like the other local governments, we do stand in opposition to the bill.

Chair Ohrenschall:

Are there any other questions for Ms. Brooks? [There were none.] I appreciate your willingness to work with the sponsor. Is there anyone else in opposition to Assembly Bill 150 who wants to be heard?

Megan Salcido, Government Affairs Coordinator, Office of City Manager, City of Reno:

We had a productive discussion with the bill's sponsor yesterday, and we fully support his intent to provide accountability and efficiency in the operation of local government. Through our discussions with Assemblyman Daly, and from his testimony today, we understand that his intent is that when there are instances of application or misapplication of a local government's interpretation of a law or regulation passed by the Legislature, the committee created by this bill would have the opportunity to review the local government's interpretation and application of that regulation or statute. We fully support that kind of accountability and transparency.

We do have one concern in section 9, with the language, and from Assemblyman Daly's testimony, I understand that this section might be removed and that might alleviate some of our concerns. For instance, in section 9, line 17, where it provides the committee created pursuant to this statute would be able to evaluate "the performance, policies and statutory and

regulatory compliance of governmental agencies." Our concern lies with words "performance" and "policies" of local government agencies. At the local government level, performance and policies concern day-to-day operational decisions such as the dress code policy, or use of social media at work. It appears to us that this specific language goes beyond the intent of the bill's sponsor, so we would suggest striking "performance" and "policies" and leaving it to "evaluate the statutory and regulatory compliance of governmental agencies." I want to emphasize once again that the City of Reno supports the bill sponsor's intent to provide efficiency and accountability measures for governmental agencies. As an elected body, our city council is committed to transparency and accountability and strives to provide its constituents with both on a daily basis. We look forward to continuing to work with Assemblyman Daly on the language in the bill.

Chair Ohrenschall:

Are there any questions for Ms. Salcido? [There were none.]

Lisa Gianoli, representing Washoe County:

We were a part of the meeting between the City of Reno and Assemblyman Daly. We did have a very good conversation, and I believe we better understand what his purpose of the bill is. Rather than be redundant, many of the issues that were pointed out by Ms. Salcido are the same issues that we arrived upon. It now appears that section 9 is going to be removed from the bill, based on Assemblyman Daly's testimony. That is an area that we had some concerns with because of the broad nature that we felt could be problematic. Nevertheless, as voiced earlier, we are happy to work with Assemblyman Daly and we understand completely what his purpose is. Perhaps we can construct language that we can work with in the future.

Chair Ohrenschall:

If section 9 were stricken, is the rest of the bill something that Washoe County can support?

Lisa Gianoli:

I cannot say that is completely true at this point, but I believe there are some things we could work through in other areas.

Chair Ohrenschall:

Are there any questions from the Committee for Ms. Gianoli?
[There were none.]

Javier Trujillo, Intergovernmental Relations Manager, City of Henderson:

I would like to echo the same concerns that the League of Cities shared with the Committee, as well as those shared by the City of Reno. The deletion of section 9 certainly alleviates some of the concerns that we have, especially as it speaks to the studies and investigations and the requirement of our staff to have to provide books and records for the committee's review. That, I believe, alleviates the fiscal impact of the bill. After hearing Assemblywoman Kirkpatrick speak to the potential of looking at combining the intent of this bill with that of ACIR, which is currently Senate Bill 202, we are certainly looking forward to that conversation, and we would love to be at the table with the bill's sponsor to talk about how we can make this bill work for everyone involved.

Assemblywoman Kirkpatrick:

I believe that we must have better communications, as we are all trying to get to the same place and we all represent the same constituents. I hope we keep that in mind.

Javier Trujillo:

I want to let the Committee know that we are here to work with you on that. We certainly support the intent of the bill, and as far as anything that we can do from the local government perspective, please count on support from the City of Henderson.

Chair Ohrenschall:

Are there any other questions for Mr. Trujillo? [There were none.] Is there anyone else in opposition who wants to be heard?

Yolanda King, Director, Budget and Financial Planning, Clark County:

Clark County does not disagree with or oppose the intent of the bill. Our main concern is that it adds an extra layer of administrative work that we do not know what it looks like. From our perspective, there is transparency. There are a number of boards, such as the county commissioners, the town commissioners, the town boards, and our citizen boards, that take a look at the transparency and the accountability as well as how we, Clark County, spend our funds. Other than trying to understand what the administrative impact would be to Clark County, we support the intent, but are concerned about what could be an unfunded mandate.

Chair Ohrenschall:

That is a consideration that I do not believe has been brought up before. Are there any questions for Ms. King? [There were none.] Is there anyone else who wishes to speak in opposition to Assembly Bill 150?

[There was no response.] Assemblyman Daly, would you like to recap your presentation and address any points presented by the opposition?

Assemblyman Daly:

We want to try and make this work. The school districts and school boards have been under this same scenario with the standing Legislative Committee on Education, and there have not been any appeals. There has not been a usurping of the school boards' rights or anything like that. The purpose of this bill is to look at the legislative policies that have been put into place, and determine how we can help to be more efficient. I believe all of the concerns that have been expressed about expenses and various issues can be attributed to a fear of the unknown. What I heard here today is, "We are in support of oversight and accountability, but not for me."

Sometimes a city council or a board of supervisors will go to their legal counsel and say, "This is what we want to try to do. Interpret the law in a way that gets us to where we want to be." I have been in this situation and have gone to that city council or board of supervisors and said, "What you are trying to do is not allowed under the statute and here is why." They will look to their legal counsel and ask, "Can we do this?" And their legal counsel will say, "Yes, you can." The only thing you can do then is to take them to court to say you cannot do that. I do not want anyone to have to go to court. I believe this bill provides a mechanism to resolve these issues in a different way. We can make sure that the intent of the Legislature was followed and alleviate the potential for future lawsuits, disagreements, or inefficiencies. The Legislative Commission right now today under NRS 232.010 all the way through to NRS 232.100 can require this of every single entity that came up here and spoke today. The fact of the matter is that without a committee and mechanism, which would be created under Assembly Bill 150, it is unlikely to ever happen.

Chair Ohrenschall:

Thank you, Assemblyman Daly. I believe most of us on this Committee are supportive of anything that leads to more transparency and more checks and balances, so I want to thank you for bringing this bill.

Assemblyman Elliot Anderson:

I believe it is a good idea to have more oversight and accountability, and I am looking forward to working with you on this.

Chair Ohrenschall:

Are there any other Committee members that have questions or comments? [There were none.] I will now close the hearing on Assembly Bill 150 and I will open the meeting to public comment. Is there anyone who would like to make a comment?

Tom Leahy, representing Nevada Legislative Action Committee:

I have a couple of questions regarding A.B. 150. What is the resultant cost of this bill? I did not hear that addressed. I am talking about the cost to not only the Legislature itself but also local communities and other governmental agencies.

Chair Ohrenschall:

Mr. Leahy, there is a fiscal note for this bill. I believe it is approximately \$360,000 over the biennium. That is primarily due to section 9, which the sponsor said he is considering removing if the bill goes forward.

Tom Leahy:

Thank you. What happens to the Legislative Commission as a result of the passage of this bill?

Chair Ohrenschall:

Those are all questions that we will try to answer if we proceed with the bill, but today is a forum for you to make public comment about the bill. Any specific questions you may have can be directed to me or to the sponsor.

Tom Leahy:

It is my understanding that the Legislative Commission already has the authority to do everything that is in this document. Is that not correct?

Chair Ohrenschall:

I do not believe that is correct, but again, I would ask you to talk to the bill's sponsor. I believe that this bill would expand some of the purview.

Tom Leahy:

Also, the bill has subpoena power. Subpoena power over whom?

Chair Ohrenschall:

Again, Mr. Leahy, I would encourage you to speak to the bill's sponsor. However, as I understand it, that power would be limited to what the committee is investigating, such as efficiencies and governmental agencies, at both the executive and local government level.

Tom Leahy:

So it would apply to the Executive Branch.

Chair Ohrenschall:

Yes.

Tom Leahy:

Thank you.

Chair Ohrenschall:

Is there anyone else who would like to make a public comment today?
[There was no response.] I will close today's meeting of the
Assembly Committee on Legislative Operations and Elections. The meeting
is adjourned [at 5:22 p.m.].

RESPECTFULLY SUBMITTED:

Karen Pugh
Committee Secretary

APPROVED BY:

Assemblyman James Ohrenschall, Chair

DATE: _____

EXHIBITS

Committee Name: Committee on Legislative Operations and Elections

Date: March 5, 2013

Time of Meeting: 4:24 p.m.

Bill	Exhibit	Witness / Agency	Description
	A		Agenda
	B		Attendance Roster
A.B. 150	C	Keith Lee	Statement in opposition to A.B. 150